

Rodolphe Nogbou
60326-054
MCC-New York
150 Park Row
New York, NY 10007

USDC SDNY
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June 26, 2008

TO HONORABLE ROBERT W. SWEET
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK
PRO SE OFFICE, ROOM 230
500 PEARL STREET
NEW YORK, NY 10007

Defendants Counsel
Sumit Sud
Assistant Corporation Counsel
100 Church Street, Room 3-209
New York, NY 10007

*Plaintiff will
be granted a three
week extension of
his time to oppose the
motion. Sweet
v. S. D. S.
7-9-08*

Re: Rodolphe Nogbou v. Police Officer Mayrose Et Al.,
07 CV. 3763 (RWS)

Rodolphe Nogbou v. Police Officer LoRe Et Al.,
07 CV. 8515 (RWS)

Object: REQUEST FOR ENLARGEMENT OF TIME AND FOR A COURT ORDER
FOR THE PRISON - MCC-NEW YORK - TO COMPLY WITH FEDERAL
COURT ORDER

RODOLPHE NOGBOU, plaintiff and Pro Se litigant, in the
above-mentioned actions, respectfully submits this letter for
an enlargement of time, with regard to the plaintiff's response
to the defendants' motion of May 30, 2008, pursuant to the
Federal Rule of Civil Procedure 12(c).

It was adopted on May 20, 2008, that, the plaintiff's
response to the defendants' motion, ought to be served on all
parties on June 30, 2008.

However, due to circumstances beyond plaintiff's control,
Rodolphe Nogbou will not be able to serve his response, on
June 30, 2008.

The plaintiff had been incarcerated (under false
accusations) since August 22, 2007 (when coming to the Pro Se
Office, 500 Pearl Street, to serve some litigation papers).
See case # 07 CR. 814 (JFK).

As inmate, the plaintiff is classified as "indigent", because he does not have any money in his prison's account.

The plaintiff (indigent and Pro Se litigant) had drafted the response to the defendants' motion of May 30, 2008; however, being indigent, the plaintiff had not been able to make copies of the drafted response to the defendants' Rule 12(c) motion (for service upon all parties).

" Established case law recognizes prisoner's constitutional rights of access to the Courts. Indeed, the U.S. Supreme Court, has held that, for this access to be meaningful, indigent inmates must be provided at State expenses with paper and pen to draft legal documents and with stamps to mail them. "

Due to the incarceration conditions, plaintiff had not been able to provide the exact case law.

However, the following case may be a lead:
Kenneth Stanislas v. Tolson, Warden, and Officer Suber, Mailroom Clerk

The plaintiff had requested the service (copying of legal documents) from the prison - MCC-New York - since June 14, 2008.

However, as of this 26th day of June 2008, the plaintiff is still without the copies of the legal documents.

For, (a) the plaintiff respectfully, pleads with all parties, to accept his request for enlargement of time;

(b) the plaintiff respectfully requests that, the Court grant an order for the prison - MCC-New York - to comply with the Supreme Court order, that indigent inmates must be provided at State expenses with paper and pen to draft legal documents and stamps to mail them.

So that, plaintiff may be able to make copies of legal documents, and serve all parties with his response to the defendants' Rule 12(c) motion, in the following days.

In the instant matter, the plaintiff is indigent inmate and Pro Se litigant.

Consequently, plaintiff respectfully pleads with all parties, to accept his request for enlargement of time, and adopt, as possible, the following schedule:

- (a). The plaintiff's response will be served within the next three business days, following the deadline to be set by the Court, for the prison - MCC-New York - to make copies of legal documents for the indigent Pro Se litigant inmate (plaintiff);
- (b). And 18 days thereafter, will be the due date of the defendants' reply.

THANK YOU VERY MUCH FOR YOUR TIME AND CONSIDERATION.

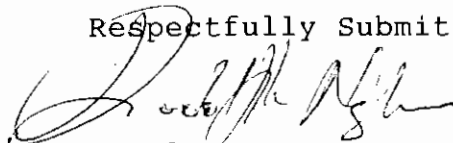
CC: Rodolphe Nogbou's Counsel
Case # 07 CR. 814 (JFK)
Lance Croffoot-Suede
Attorney At Law
Linklaters LLP
1345 Avenue of the Americas
New York, NY 10105

Mr. Croffoot, please serve a copy of this letter (for the Record) upon:

HONORABLE JOHN F. KEENAN
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK
500 PEARL STREET
NEW YORK, NY 10007

John P. Cronin
Assistant U.S. Attorney
Southern District of New York
One St. Andrew's Plaza
New York, NY

Respectfully Submitted,



Rodolphe Nogbou
60326-054
Pro Se - Plaintiff

Rodolphe Nogbou
60326-054
MCC-New York
150 Park Row
New York, NY 10007

Rodolphe Nogbou

-against-

07 CV. 3763 (RWS)

Police Officer Mayrose Et Al.,

Rodolphe Nogbou

-against-

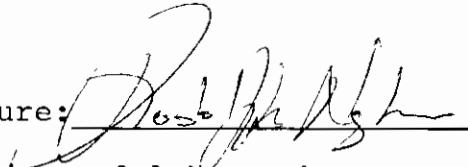
07 CV. 8515 (RWS)

Police Officer LoRe Et Al.,

AFFIRMATION OF SERVICE

I, Rodolphe Nogbou, DECLARE UNDER PENALTY OF PERJURY
that I have served a copy of the attached REQUEST FOR
ENLARGEMENT OF TIME AND FOR A COURT ORDER FOR THE PRISON
- MCC-NEW YORK - TO COMPLY WITH FEDERAL COURT ORDER upon
Sumit Sud (defendants' counsel) whose address is 100 Church
Street, Room 3-209, New York, NY 10007 by Regular Mail.

Dated: New York, New York
June 26, 2008

Signature: 

Rodolphe Nogbou
60326-054
Pro Se - Plaintiff
MCC-New York
150 Park Row
New York, NY 10007